

IC 10-16-11

Chapter 11. Military Funds

IC 10-16-11-1

Appropriation

Sec. 1. The general assembly may appropriate the sums necessary to constitute a contingency fund to be known as the governor's civil and military contingency fund.

As added by P.L.2-2003, SEC.7.

IC 10-16-11-2

Governor's civil and military contingency fund; expenses; warrants for payment

Sec. 2. The governor's civil and military contingency fund:

- (1) remains in the state treasury; and
- (2) shall be drawn on the warrant of the governor:
 - (A) for the expenses as may accrue under this chapter; and
 - (B) to pay the expenses of all encampments ordered or approved by the governor, inspections, courts-martial, boards of inquiry, inspection, examination, and survey, and pay of officers and soldiers on state active duty.

As added by P.L.2-2003, SEC.7.

IC 10-16-11-3

Governor's civil and military contingency fund; organization of national guard; boards of examination, inquiry, and survey; collection of fines

Sec. 3. The governor may, by general order:

- (1) provide for the disbursement of the governor's civil and military contingency fund for the proper organization of the national guard and the promotion of its discipline, instruction and military efficiency;
- (2) appoint boards of examination, inquiry, and survey; and
- (3) provide for the collection of any fine, penalty, or forfeiture due from any officer or member of the Indiana national guard out of any payment to be made to the officer or member by the state.

As added by P.L.2-2003, SEC.7.

IC 10-16-11-4

Council of administration

Sec. 4. (a) The commanding officer of a company and regiment shall convene a council of administration at least two (2) times each year.

(b) A council of administration must consist of:

- (1) three (3) officers next in rank to the commanding officer;
- (2) if there are only two (2) officers next in rank, then the next two (2);
- (3) if there is only one (1) officer next in rank, then the next one (1); or

(4) if there is not any other officer other than the commanding officer, then the commanding officer shall act alone.

As added by P.L.2-2003, SEC.7.

IC 10-16-11-5

Council of administration; record of proceedings; publication

Sec. 5. (a) The junior member of the council shall:

- (1) record the proceedings of the council in a book; and
- (2) submit the book to the commanding officer.

(b) If the commanding officer disapproves the proceedings and the council, after reconsideration, adheres to its decisions, a copy shall be sent by the commanding officer to the next higher commander.

The decision of the next higher commander:

- (1) is final; and
- (2) shall be entered in the council book.

The decision and council book shall be published for the information and government of all concerned.

As added by P.L.2-2003, SEC.7.

IC 10-16-11-6

Council of administration; signatures on records

Sec. 6. (a) The proceedings of councils of administration shall be signed by the senior member of the council and recorded. The recorder of each meeting, after entering the whole proceedings, together with the final order, shall deposit the book with the commanding officer.

(b) The approval or disapproval of the officer ordering the council shall be signed by the officer.

As added by P.L.2-2003, SEC.7.

IC 10-16-11-7

Council of administration; audit and settlement of accounts

Sec. 7. The council of administration shall:

- (1) audit and settle the account of the organization for which the council is appointed; and
- (2) pass specific resolves for all expenditures of the funds of the organization.

As added by P.L.2-2003, SEC.7.

IC 10-16-11-8

Compensation; personally present for duty; payrolls; signatures

Sec. 8. (a) An officer or a member of the Indiana national guard may not receive any compensation for duty at drills, parades, or encampments unless personally present for the duty, whether excused or not. A substitute for the member may not receive compensation.

(b) Officers and members shall sign payrolls before the last day of services for duty performed. The signature of a soldier shall be made in the presence of the member's commanding officer. If the member signs by mark, the mark must be attested to by the officer.

(c) The payrolls described in subsection (b) shall be prepared and submitted according to the orders and regulations of the state military department.

As added by P.L.2-2003, SEC.7.

IC 10-16-11-9

Failure to render satisfactory accounts

Sec. 9. An officer of the Indiana national guard charged with the disbursement or safekeeping of public money or of any of the funds authorized to be established by this article who does not:

- (1) render to the proper authorities a satisfactory account of the money; or
- (2) pay over to a successor the money:
 - (A) in the officer's hands; or
 - (B) the officer failed satisfactorily to account for;

shall be proceeded against as is provided in cases of fines by court-martial. The proceedings of the council of administration shall be taken as evidence in the case.

As added by P.L.2-2003, SEC.7.

IC 10-16-11-10

Trustee; other funds; separate funds

Sec. 10. (a) The governor, as trustee, may receive from the Secretary of Defense of the United States the funds:

- (1) designated as "Other Funds" in the custody of the Secretary of Defense;
- (2) that were collected by certain Indiana national guard organizations for their own use and benefit; and
- (3) that have not been disposed of because the Indiana national guard organizations for whose benefit the funds were collected have been broken up and have never been reconstituted.

(b) The governor, as trustee, may receive from any branch of the United States government any military funds that may be recovered from the United States government. The funds received shall be:

- (1) paid into the state treasury; and
- (2) kept as a separate and distinct fund; and
- (3) distributed for the benefit of the Indiana national guard.

The funds are appropriated in the manner determined by the governor.

As added by P.L.2-2003, SEC.7.